

LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU
PACIFIC PARK PLAZA
711 KAPIOLANI BOULEVARD, SUITE 600
HONOLULU, HAWAII 96813

AGENDA – SIXTH MEETING

THURSDAY, AUGUST 6, 2020

4:00 P.M.

PUBLIC PARTICIPATION AND TESTIMONY

Pursuant to the Tenth Supplementary Proclamation issued by Governor David Ige on July 17, 2020, relating to the COVID-19 pandemic, in order to allow public participation in a manner consistent with social distancing practices the following procedures are in effect for the meeting:

VIEWING THE MEETING AND RESTRICTIONS ON ENTRY

Except as provided below for persons wishing to present oral testimony, members of the public will not be allowed into the hearings room, but may listen to the meeting on a live broadcast. The meeting may be heard: (1) on a monitor outside of the hearings room; (2) in Suite 111 of the Pacific Park Plaza; (3) by internet live streaming through <https://cchnl.webex.com/cchnl/onstage/g.php?MTID=e5386af4ce68f6a7ff769c4a5f10773cd>; or (4) by dialing 14084189388, entering the access code: 1462869127#, and entering the passcode: 466547#

To provide the public with the best opportunity to observe the meeting, it is required to “mute” your device’s microphone to prevent technological difficulties.

All persons who are required to appear for the meeting are to report to Suite 111 and shall comply with the Social Distancing Requirements set forth in Governor David Ige’s Tenth Supplementary Proclamation dated July 17, 2020, and Mayor Kirk Caldwell’s Emergency Order No. 2020-21 dated July 29, 2020. An investigator will let you know when it is your turn to go to the hearings room, Suite 600, for your agenda item.

Within forty (40) days after the meeting, the minutes will be posted to the Liquor Commission website at <http://www.honolulu.gov/liq/event-calendar/> for viewing. The minutes of prior meetings may also be viewed at said website.

ORAL TESTIMONY

Oral testimony will be permitted on all matters before the Commission, except for adjudications, subject to the following restrictions:

1. Testifiers will not be allowed into the hearings room until it is their turn to testify. Testifiers may follow the meeting on a monitor in Suite 111. When a testifier's name is called, the testifier may proceed to the hearings room, Suite 600, to provide oral testimony and must leave immediately thereafter.

Persons wishing to testify shall register in Suite 111 before 4:00 p.m. on the day of the meeting.

2. Each speaker is limited to a three-minute presentation.

WRITTEN TESTIMONY

Written testimony is strongly encouraged and may be submitted to the Administrator of the Commission three (3) working days prior to the date of the meeting as follows: FAX (808) 768-7311 or E-MAIL liquor@honolulu.gov. Written testimony will not be accepted in person at the meeting.

MATERIALS AVAILABLE FOR INSPECTION

Meeting materials ("board packet") will be available for viewing electronically, as soon as practicable, at the Liquor Commission website (<http://www.honolulu.gov/liq/event-calendar/>).

PUBLIC HEARINGS:

1. Trans. Appl. No. 20-20929
from MJ-Star Inc., dba
Star Lounge

For the transfer of the business and
Dispenser General license (Category
No. 4 – Hostess) of JSJ Cocktail,
Inc., dba Star Lounge,
94-366 Pupupani Street, Waipahu
(E0427) (Prelim. Hrg. 6/4/20)

(Continued from July 30, 2020;
public hearing kept open)
2. Trans. Appl. No. 20-21218
from Lahaina Petroleum,
LLC, dba Kaneohe Shell
Food Mart

For the transfer of the business and
Retail General license of S.V.T., Inc.,
dba Kaneohe Shell Food Mart,
45-1039 Kamehameha Highway,
Kaneohe (D0644)
(Prelim. Hrg. 7/16/20)

LICENSE APPLICATION:

Temporary License Application:

3. Appl. No. 21-21996 from
Chinatown Coven LLC, dba
Proof Social Club

For a [Stand-Alone] Temporary
Dispenser General license
(Category No. 3 - Live
Entertainment or Recorded Music
and Dancing) at 1154 Fort Street
Mall, Suite 10, the former site of
Proof Public House (E1493)

(Continued from July 23, 2020)

REQUESTS:

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| 4. Request No. 21-22048 from Hawaiian Pacific Restaurant Group, Inc., dba Roy's Restaurant, Restaurant General license (Category No. 2 - Live Entertainment or Recorded Music and Dancing), 6600 Kalaniana'ole Highway (R0679) | Requesting approval to temporarily increase its licensed premises from July 30, 2020 to July 20, 2021, from 4:30 p.m. to 10:00 p.m.

(Rescheduled from July 30, 2020) |
| 5. Request No. 21-22108 from JSJ Cocktail, Inc., dba Star Lounge, Dispenser General license (Category No. 4 – Hostess), 94-366 Pupupani Street, Waipahu (E0427) | Requesting approval to file its liquor license renewal application for fiscal year 2020-2021 after the June 30, 2020 deadline, pursuant to Rule 3-82-31.4(b) |
| 6. Request No. 21-22121 from Himalayan Kitchen LLC, dba Himalayan Kitchen LLC, Restaurant General license (Category No. 1 – Standard Bar), 1137 11 th Avenue, #203/204/205 (R1168) | Requesting approval to submit its Tax Clearance after the July 31, 2020 deadline, pursuant to Rule 3-82-31.4(b) |
| 7. Request No. 21-22125 from IQ Factory LLC, dba La Cucina, Restaurant General license (Category No. 2 - Live Entertainment or Recorded Music and Dancing), 725 Kapiolani Boulevard, No. 112 (R0354) | Requesting approval to submit its Tax Clearance after the July 31, 2020 deadline, pursuant to Rule 3-82-31.4(b) |

OTHER BUSINESS:

8. Request No. 21-22109
from Wayne Luke, Esq.,
on behalf of Masao
Properties Incorporated,
dba Beer Lab HI

Requesting waiver of Rule 3-82-
32.1(a) requiring a temporary license
application be filed within five
working days of the surrender of the
previous license or the closing of the
business

(Premises at 98-1005 Moanalua
Road, Unit 884, Aiea)

ADOPTION OF DECISION AND ORDER:

9. Chris' Liquor & Grocery
(LCV 19-0048)
(D0199)

For adoption of Decision and Order

10. Club Mermaid
(LCV 19-0124)
(E1460)

do.

11. Hoakalei Country Club
(LCV 19-0142)
(E1547)

do.

12. King Restaurant & Bar
(fka Million Pocha Inc.)
(LCV 19-0164)
(R1131)

do.

13. Manulele Distillers, LLC
(LCV 19-0113)
(A0015)

do.

14. New Green Tee
(LCV 19-0181)
(E1258)

do.

15. Pure Hawaii Gentlemen's
Club/Coyote Nights
(LCV 19-0145)
(I0062)

do.

ADOPTION OF DECISION AND ORDER: (CONT.)

16. Shirokiya Japan
Village Walk
(LCV 19-0191)
(R1162)

For adoption of Decision and Order

ADJUDICATION HEARINGS:

17. The Four4
(LCV 19-0360)
(R1232)

Licensee failed to file with the Commission a report as directed by the Commission showing the gross amount of liquor sold by the licensee during the twelve months beginning July 1, 2018, and ending June 30, 2019 (Violation of Rule 3-81-17.54(c)) (Date of violation: August 1, 2019)

(Continued from July 23, 2020 for penalty phase)

[History: 2/20/20, 2/27/20, 3/19/20, 7/23/20]

18. Club Wave
(LCV 19-0225)
(E1287)

Licensee permitted liquor of any kind, while in bottle, glass or other container, to be open and readily consumable within the licensed premises before or after the hours established by the Liquor Commission (Violation of Rule 3-82-38.20(b)) (Date of Violation: On or about May 25, 2019)

19. Little Seoul II, LLC
(LCV 19-0114)
(R1026)

Licensee permitted liquor of any kind, while in bottle, glass or other container, to be open and readily consumable within the licensed premises before or after the hours established by the Liquor Commission (Violation of Rule 3-82-38.20(b)) (Date of Violation: On or about March 9, 2019)

ADJUDICATION HEARINGS: (CONT.)

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| 20. Topsy Pig II Bar and Grill
(LCV 19-0177)
(E1469) | Licensee had some form of music, dancing, and/or entertainment, including but not limited to electronic gaming devices, card playing and table games on the licensed premises, without prior authorization or approval from the Commission (Violation of Rule 3-82-47.1(a)) (Date of violation: On or about April 20, 2019) |
| 21. Xclusive Restaurant & Lounge
(LCV 19-0200)
(E1204) | Licensee's employee consumed liquor while on duty on the licensed premises (Violation of Rule 3-84-78.01(b)) (Date of violation: On or about May 17, 2019) |
| 22. The Surfing Pig
(LCV 19-0085)
(R1130) | <div style="display: flex; align-items: flex-start;"><div style="margin-right: 10px;">(1)</div><div>Licensee sold, advertised, or offered to sell "all the liquor you can drink" for a fixed price (Violation of Rule 3-84-78.51(b)(1)) (Date of violation: On or about February 23, 2019)</div></div> <div style="margin-top: 20px;"><div style="display: flex; align-items: flex-start;"><div style="margin-right: 10px;">(2)</div><div>Licensee failed to have a duly registered manager in active charge of the licensed premises during the time the establishment is open for business and licensed to sell or serve liquor (Violation of Rule 3-82-38.9(a)) (Date of violation: On or about February 23, 2019)</div></div></div> |
| 23. Misty I
(LCV 19-0087)
(E0107) | <div style="display: flex; align-items: flex-start;"><div style="margin-right: 10px;">(1)</div><div>Licensee permitted a person on the licensed premises, other than registered dancers during their performances, to have his entire buttocks exposed (Violation of Rule 3-84-78.02(a)) (Date of violation: On or about February 23, 2019)</div></div> |

ADJUDICATION HEARINGS: (CONT.)

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|---|-----|---|
| Misty I
(LCV 19-0087)
(E0107)
(Cont.) | (2) | Licensee failed to have the interior and exterior of the licensed premises well and properly lighted (Violation of Rule 3-84-72.2) (Date of violation: On or about February 23, 2019) |
| 24. Porky's Sports Pub & Grill
(LCV 19-0219)
(E0675) | | Licensee allowed the obstruction, hampering, or interfering with investigations or Commission operations in any way, including but not limited to, the sounding of alarms, flashing of lights or use of a public address system or other advance warning announcing the arrival of Commission investigators (Violation of Rule 3-84-79.1) (Date of violation: On or about June 2, 2019) |
| 25. New Business
(nka Club Business)
(LCV 19-0224)
(E0326) | (1) | Licensee permitted a person on the licensed premises to perform acts of or acts which simulate sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation or any sexual acts which are prohibited by law (Violation of Rule 3-84-78.04(a)) (Date of violation: On or about June 8, 2019) |
| | (2) | Licensee failed to have the interior and exterior of the licensed premises well and properly lighted (Violation of Rule 3-84-72.2) (Date of violation: On or about June 8, 2019) |

ADJUDICATION HEARINGS: (CONT.)

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| New Business
(nka Club Business)
(LCV 19-0224)
(E0326)
(Cont.) | (3) Licensee failed to have a time card or other adequate record showing in English the month, day, year, and time, indicating a.m. or p.m. and the legal first name and surname of each of its employees when these employees were on duty (Violation of Rule 3-82-38.4(a)) (Date of violation: On or about June 8, 2019) |
| 26. Lotus Honolulu at
Diamond Head
(LCV 19-0230)
(L0054) | Licensee, without Commission approval, transferred its business to another entity, either openly or under undisclosed arrangement, whereby such other person came into possession or control of the business, or took in any partner or associate (Violation of Section 281-41(h), HRS) (Date of violation: On or about December 31, 2018)

(Rescheduled from March 19, 2020 for penalty phase)

[History: 2/6/20, 3/12/20, 3/19/20] |
| 27. Non Stop Liquor Store
(LCV 19-0208)
(D0639) | (1) Licensee, a limited liability company, failed to notify the Commission, in writing, stating the name and any other information required regarding members or managers who were admitted or withdrawn, within thirty days from the date of such admission or withdrawal (Violation of Section 281-41(e), HRS) (Date of violation: On or about May 29, 2018, and/or during the period between June 9, 2004 and May 29, 2018) |

ADJUDICATION HEARINGS: (CONT.)

Non Stop Liquor Store
(LCV 19-0208)
(D0639)
(Cont.)

- (2) Licensee made false statements in the course of its liquor license renewal application process (Violation of Section 281-53, HRS) (Date of violation: On or about May 4, 2018)

(Continued from February 6, 2020)

[History: 1/9/20, 2/6/20]

OTHER BUSINESS: (CONT.)

28. Liquor Administrator

Administrative matters – Weekly report to the Commission, 90-day event schedule and work plan coordination

If you require special assistance, auxiliary aid and/or service to participate in this meeting (i.e., sign language interpreter; interpreter for language other than English, or wheelchair accessibility), please email your detailed request to liquor@honolulu.gov, at least five (5) business days prior to the meeting.